



OFFICE OF LEGISLATIVE LIAISON

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Matters of Interest to the Department of the Air Force
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HIGHLIGHTS APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS: By voice vote (H3404) the House adopted the conference report (H.Rept.108-76) to accompany H.R.1559, the FY03 emergency wartime supplemental appropriations bill. By a previous unanimous consent agreement, the measure was deemed to have been agreed upon by the Senate, clearing the measure for the White House. Text of the conference report and explanatory tables appear at H3358-3400. (H3385-3404) (**Research Team note:** see House portion of this Digest for a summary of the conference report)

ADJOURNMENT RESOLUTION: House agreed to S.Con.Res.38, providing for the Easter District Work Period (Recess) from close of business on Friday, April 11, until noon on Monday, April 28. Resolution provides for a House recess from close of business on Saturday, April 12, until 2 p.m. on Tuesday, April 29. (H3404)

SENATE, APRIL 12, 2003

The Senate was not in session. It next meets at noon on Monday, April 28.

HOUSE OF REPRESENTATIVES, APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS: By voice vote (H3404) the House adopted the conference report (H.Rept.108-76) to accompany H.R.1559, the FY03 emergency wartime supplemental appropriations bill. (H3385-3404) Following summary of H.Rept.108-76 is provided by the House Republican Conference and it reflects a House-leadership perspective on that report. Debate coverage continues after the summary.

HOUSE OF REPRESENTATIVES, APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS, Summary

Conference Report: \$79 billion

President's Request: \$74.7 billion

The Conference Report drops many of the Senate extraneous provisions.

National Defense

The conferees have reached agreement on funding for the Department of Defense that strikes an appropriate balance between providing flexibility for meeting evolving wartime needs and accountability to Congress and the American taxpayer.

Total funding: \$62,378,100,000

The bill contains a funding structure including elements of both the House and Senate bills:

- The conference agreement does not include any funding in the Defense Emergency Response Fund (DERF), as requested by the President (request of \$59,863,200,000); and
- Rather, funds will be allocated to the regular DoD appropriations for military personnel, O&M, and the like. (The amount moved to “specific” accounts or general provisions totals approximately \$46.5 billion.)

Totals for major categories by specific appropriations:

- Military Personnel: \$13,403,000,000;
- Operation and Maintenance: \$31,175,000,000;
- Defense Health Program: \$501,700,000;
- Procurement: \$1,314,400,000; and
- RDT&E: \$81,500,000.
- Like the House bill, a separate flexibility fund to cover combat costs, force reconstitution, classified, and other items is included. This flexible account - entitled the “Iraq Freedom Fund” - would total to a little less than \$16 billion (\$15,678,000,000). This fund includes direction that of the amounts therein:
 - Not less than \$1,100,000,000 is for fuel costs;
 - Not less than \$1,771,180,000 is for classified programs;
 - Up to \$1,400,000,000 may be used to reimburse nations for support provided U.S. military forces in the global war on terrorism;

HOUSE OF REPRESENTATIVES, APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS, Summary (cont)

- Up to \$400,000,000 million is available to support the military missions of the U.S. Coast Guard; and
- Up to \$489,300,000 million for natural resource risk remediation.

Notification Requirements: The bill requires DoD to notify the Congress five days in advance of all transfers made from the Iraq Freedom Fund. Also, DoD will be required to notify Congress in advance of spending money appropriated for counter-terrorism training activities, as well as support for Pakistan, Jordan and other countries.

Improved Pay and Benefits: The conference agreement includes a provision in the Senate bill to increase both imminent danger pay (from \$150 to \$225 per month) and family separation allowance (from \$100 to \$250 per month) for all who were or will be eligible for these special pays in fiscal year 2003. The bill also includes improved travel benefits for families of those injured in the war.

Pakistan, Jordan, et al: The conferees agree to provide up to \$1.4 billion for Pakistan and other nations that have supported the U.S. military in the war on terrorism.

Natural Resources Risk Remediation: The conferees agree to establish a new fund - the Natural Resources Risk Remediation Fund - to support U.S. military efforts to fight oil fires and preserve Iraq's oil production infrastructure. This will be important to helping the Iraqi economy quickly back to its feet. Up to \$489.3 million has been set aside for this new program, as well as a mechanism to collect and utilize foreign contributions for this effort.

Air Force Academy: The conference agreement includes and modifies an amendment approved by the Senate setting up an external panel to review the changes being implemented by the Air Force as a consequence of the alleged sexual assault incidents at that institution.

Aviation Assistance

The Conference Report provides \$2.9 billion in assistance to U.S. flag air carriers. The package includes the following:

- Suspends passenger security and air carrier security fees from June 1 through September 30, 2003;
- Provides \$2,395,750,000 for airline grants, of which the first \$100 million is to reimburse carriers for cockpit door hardening. The remaining funds would be distributed based upon the proportional share of security fees remitted by the airlines to the Transportation Security Administration;
- Extends the War Risk Insurance Program, as proposed by the Administration;
- Provides an additional 26 weeks for unemployed airline industry-related workers; and

HOUSE OF REPRESENTATIVES, APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS, Summary (cont)

- Limits compensation for the two highest compensated executives in the corporation to 2002 salary levels. Excludes awards of stocks and preexisting retirement contracts and exempts airlines that serve solely domestic North American US destination and regional carriers. Only applies to recipient of airline grants not war risk insurance.

Homeland Security

The Conference Report includes \$3.9 billion for the Department of Homeland Security.

First Responders

- The Conference Report provides \$2.23 billion for grants to First Responders through the Office of Domestic Preparedness (ODP), \$230 million above the President's request. Within the above amount, \$1.3 billion is provided for ODP's basic grant program to the States with 80 percent of the funds going to localities, \$200 million for grants for Critical Infrastructure distributed by formula with no less than 50 percent of the funds going to local governments and \$700 million is provided as a discretionary grant to address security requirements in high threat, high density urban areas with critical infrastructure.

Homeland Defense

Instead of providing a lump sum appropriation of \$1.5 billion to the Counterterrorism Fund for unspecified purposes as proposed by the request, the Conference Report allocates these funds for several high priority activities within the Department of Homeland Security (DHS).

- \$228 million for the Coast Guard, most of which funds operations in support of Operation Liberty Shield and \$38 million is allocated for port vulnerability assessments; \$400 million for the Coast Guard's military deployments in support of Operation Iraqi Freedom are funded in the Defense portion of the bill;
- \$150 million is provided in the Counterterrorism Fund to address emerging homeland security needs as identified by DHS;
- \$170 million for Immigration and Customs Enforcement in support of Operation Liberty Shield;
- \$330 million for Customs and Borders protection in support of Operation Liberty Shield; and
- \$535 million for the Transportation Security Agency which includes \$235 million for airport modifications to install checked baggage explosive detection systems, \$20 million for port security and \$280 million for other needs.

Bioterrorism/Public Health

- \$162 million for bioterrorism and public health activities which includes \$16 million for the Centers for Disease Control (CDC) for comprehensive research of Severe Acute Respiratory Syndrome (SARS), \$100 million to assist state and local health authorities with the costs of the civilian smallpox vaccination program, and \$42 million to compensate volunteers who experience adverse effects from smallpox vaccinations.

FY03 SUPPLEMENTAL APPROPRIATIONS, Summary (cont)

Foreign Assistance/Reconstruction

The Conference Report provides \$7.5 billion for foreign assistance.

Iraqi Relief and Reconstruction

The Conference agreement provides \$2.48 billion for a new Iraq Relief and Reconstruction Fund, but it is not placed within the Executive Office of the President as requested. The President is given unprecedented flexibility in allocating these funds, and Congress retains accountability for the use of the funds. All Iraqi reconstruction funds must flow under authorities created in the Foreign Assistance Act of 1961 but the President is able to make direct apportionments to several domestic agencies and the Department of Defense.

Bilateral Economic Assistance

The Conference Report provides \$2.422 billion for the Economic Support Fund. Funds are allocated as follows:

- \$700 million for Jordan, the same as the request;
- \$300 million for Egypt, the same as the request;
- Up to \$1 billion for Turkey, the same as the request, includes language that makes none of the funds available if the Secretary of State determines that the government of Turkey is not cooperating with the U.S. in Operation Iraqi Freedom, facilitating humanitarian assistance or has unilaterally deployed forces into northern Iraq;
- \$167 million for Afghanistan to support security and economic growth; and
- \$30 million for Philippine peace efforts.

Foreign Military Assistance

The Conference Report recommends \$2.1 billion as requested by the President for the Foreign Military Financing Program. Funds are allocated for the following:

- \$1 billion for Israel under the normal early disbursement procedures;
- \$406 million for Jordan;
- \$170 million to train the Afghan National Army; and
- \$175 million to assist Pakistan in counter-terrorism activities.

Legislative History - H.R. 1559 was introduced by Rep. Young (FL) on April 2, 2003. It was reported from the Appropriations Committee by a vote of 59-0 on Tuesday, April 1, 2003. The conference report to H.R. 1559 was introduced by Rep. Young (FL) on April 12, 2003.

Rep C. W. Bill Young (R-FL) voiced strong support for the conference report, suggesting that it fulfilled the Republican leadership's commitment to President Bush to send him a supplemental appropriations bill in a timely manner that would pay for the war that has

HOUSE OF REPRESENTATIVES, APRIL 12, 2003

FY03 SUPPLEMENTAL APPROPRIATIONS, Rep Young (cont)

already taken place and provide additional money to fight the Iraqi Freedom operation. Offered his belief that the conference report represented the “cleanest” supplemental that the House had ever seen, i.e., a measure relatively free of non-emergency, nongermane matters. Inserted an explanatory table reflecting the conference agreement. (H3385-6) Rep Obey (D-WI) said he was sure that the administration did not like that fact that Congress did not give them the blank check which they requested, but said the conference report provides the President with ample flexibility to meet his requirements under the Constitution while maintaining the prerogatives of Congress. Added “That is not important to our egos, but it is important to the system of checks and balances that we are sent here to preserve.” Congratulated House conferees for stripping many of the extraneous provisions added by the Senate and said “every Member of Congress can feel good about the way this conference proceeded because it was one of the few times in recent years when I have seen legislators able to behave like legislators rather than politicians, and that is important.” (H3401) Majority Leader DeLay (R-TX) commended both Reps Young and Obey for their accomplishments in crafting the conference report. Said “The big picture is that we have men and women that are giving the ultimate sacrifice and dying in Iraq. We have spent an incredible amount of time and money bringing freedom to the Iraqi people, and the American people support this effort. We need to support our troops, and this bill does that.” (H4301-2) Rep Hoyer (D-MD) said that while there were deep differences in the House on both sides of the aisle with respect to the war and the rectitude of our action, the House stood united in support of the troops and their success. Added “This bill is about ensuring the support for the troops that we have sent abroad to carry out objectives of the USA and, indeed, of a large number of the international community.” (H3402) Conference report adopted by voice vote at H3404.

SUPPLEMENTAL APPROPRIATIONS: Rep Ose (R-CA) noted that the House had just adopted the conference report on H.R.1559, the FY03 wartime emergency supplemental appropriations bill, by a unanimous vote, adding “I think it is a marvelous tribute to this country and this body that when this country is faced with challenges that we have in front of us and our young people are deployed to protect us and our interests, that we bind together as a team...” (H3404) Rep Jackson-Lee (D-TX) supported the conference report on H.R.1559, the supplemental appropriations bill, stating that it reflects America’s love for its troops and offers sympathy to those who are now mending. Added, however, that the beauty of America is that “we acknowledge and appreciate dissent.” Said she dissented against the war, but had not dissented against America or its troops. (H3404) Rep Shays (R-CT) thanked the conferees on H.R.1559 for what he termed their “tremendous” job. Added “Our job in Congress, when we send our men and women into battle, is to make sure it is never a fair fight. We need to make sure those who risk their lives in service to this country have every advantage. We have done our job and we are doing our job.” (H3405) Additional support for the conference report on H.R.1559 were made by Reps Walsh (R-NY), Watson (D-CA), and Trent Franks (R-AZ).

ADJOURNMENT RESOLUTION: House agreed to S.Con.Res.38, providing for the Easter District Work Period (Recess) from close of business on Friday, April 11, until noon on Monday, April 28. Resolution provides for a House recess from close of business on Saturday, April 12, until 2 p.m. on Tuesday, April 29. (S5397)

EXTENSIONS OF REMARKS, APRIL 12, 2003

TRIBUTE: Rep Clyburn (D-SC) paid tribute to Col Walter L. Watson, USAF, who will be inducted into the Columbia (SC) Housing Authority Wall of Fame on April 17, 2003. Noted that Col Watson, the first and only African American to qualify as a crewmember of the SR-71, has served as the Senior Aerospace Science Instructor for the C. A. Johnson High School AF ROTC unit since 1997. Briefly highlighted his career. (E768)

BUDGET: Rep Castle (R-DE) opposed the conference report on H.Con.Res.95, the FY04 congressional budget resolution, that was adopted recently by the House. Said "this is not the time when Congress should be attempting to force through the largest tax cut possible regardless of its economic effectiveness when we face the costs of war, serious challenges at home and the return of long-term budget deficits." (E768-9)

RESERVES / MILITARY PAY: Rep Susan Davis (D-CA) discussed H.R.1792, a bill she and others introduced on April 11, cited as the "Guard and Reserve Selective Reenlistment Bonus Equity Act of 2003." Said the bill would alleviate a problem of recalled guard members and reservists who can no longer receive their reenlistment bonuses because they have been mobilized. Noted that the situation flew in the face of the primary purpose of the bonus, i.e., to maintain an adequate level of experienced and qualified enlisted personnel in the peacetime forces of the military services. Suggested that the inability to provide the bonus to those called to active duty causes a financial hardship for some. H.R.1792 would permit the receipt of the bonus for such members called to active duty. Text of bill does not appear. (E777-8)

MEASURES REPORTED, APRIL 12, 2003

HOUSE

H.Rept.108-76, the conference report to accompany H.R.1559, the FY03 wartime emergency supplemental appropriations bill.

BILLS INTRODUCED, APRIL 12, 2003

HOUSE

By Mr ENGEL (for himself and others):

H.R. 1828. A bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes; to the Committee on International Relations

Mr BRADLEY:

H. Con. Res. 153. Concurrent resolution honoring the 129 sailors and civilians lost aboard the U.S.S. Thresher on April 10, 1963, and urging the Secretary of the Army to erect a memorial to this tragedy in Arlington National Cemetery; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs

EXECUTIVE COMMUNICATIONS, APRIL 12, 2003
HOUSE

1818. A letter from the Deputy Secretary, Department of Defense, transmitting notification of the transport of a chemical warfare agent, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services
1819. A letter from the Secretary of the Navy, Department of Defense, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services
1820. A letter from the Secretary of the Army, Department of Defense, transmitting a Selected Acquisition Report (SAR) for a breach of 15 percent or more for the Program Acquisition Unit Cost (PAUC) and Average Procurement Unit Cost (APUC) thresholds which have been exceeded for both Army Tactical Missile System (ATACMS)/Bat end items, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services
1821. A letter from the Under Secretary, Department of Defense, transmitting the 2003 Report on National Defense Stockpile Requirements, pursuant to 50 U.S.C. 98h--5; to the Committee on Armed Services
1825. A letter from the Principal Deputy, Department of Defense, transmitting the Department's report that covers two areas involving the Armed Services' aviation programs; to the Committee on Armed Services
1866. A letter from the Secretary, Department of the Treasury, transmitting notification of the Secretary's determination that by reason of the public debt limit, the Secretary will be unable to fully invest the portion of the Civil Service Retirement and Disability Fund (CSRDF) not immediately required to pay beneficiaries, pursuant to 5 U.S.C. 8348(l)(2); to the Committee on Ways and Means

COMMITTEE MEETINGS, APRIL 12, 2003

No meetings this date
